

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the fifteenth day of December 2004, at 7:30P.M, and there were present:

PRESENT: Rebecca Anderson, Member
John P. Gober, Member
Lawrence Korzeniewski, Member
Michael Myszka, Member

EXCUSED: Stanley J. Keysa, Chairman
Steven Socha, Member
Melvin Szymanski, Member

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Labenski, Town Engineer
Jeffrey H. Simme, Building & Zoning Inspector
John Dudziak, Deputy Town Attorney
Mary Nowak, Recording Secretary

December 15, 2004

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
John P. Gober
Lawrence Korzeniewski
Michael Myszka
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
Daniel Amatura
Mark A. Montour
Ronald Ruffino, Sr.
Donna G. Stempniak

Town Engineer: Robert Labenski

Town Attorney: Richard J. Sherwood

Highway Superintendent: Richard L. Reese, Jr.

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held December 15, 2004. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Rebecca Anderson,
Vice-Chair Planning Board

SJK:mn

Meeting called to order by Member Anderson at 7:30 PM. She told the Planning Board that Chair Keysa was ill and that he had asked her to Chair this evening's meeting. Motion was made by Lawrence Korzeniewski to approve the minutes from the December 1, 2004 Planning Board Meeting. Motion seconded by John Gober and unanimously carried.

COMMUNICATIONS: Not available

ACTION ITEMS -

INFORMAL PRESENTATION - PROPOSED CEDARBROOK SUBDIVISION, STEINFELDT ROAD NEAR BROADWAY, 35 LOTS FOR SINGLE-FAMILY DWELLINGS. PROJ. NO. 6418. CONTACT PERSON: MICHAEL GIALLANZA

This project was approved by the Town Board in 1998, but no construction was begun due to a contract dispute with the landowner. The land has since been sold and the new owner has approached the developer to purchase the land. The developer would like to reopen this project with no changes. After a brief discussion, Dep. Town Attorney Dudziak recommended that the developer contact the Town Attorney's office to find out if this project will need to be re-approved by the Town Board.

PRELIMINARY PLAN REVIEW - PROPOSED WINDSOR RIDGE SOUTH SUBDIVISION, 310 SINGLE-FAMILY LOTS, LOCATED ON THE WEST SIDE OF BOWEN ROAD BETWEEN BRUNCK ROAD AND HALL ROAD. PROJECT NO. 8205. CONTACT PERSON: WILLIAM TUYN, GREENMAN-PEDERSEN, INC.

William Tuyn, Greenman-Pedersen Inc. and Elliott Lasky, Forbes Homes, presented to the Planning Board the preliminary plan review for the proposed Windsor Ridge South subdivision on the west side of Bowen Rd. between Brunck Rd. and Hall Rd. Phase I would consist of 91 homes with a 6-10 year build-out. Mr. Tuyn told the Planning Board that the road plan is the same as originally presented, but this plan shows 310 lots. Nine building lots have been eliminated from the original plan due to wetlands. The Planning Board had concerns with lots #43, #44, #45, #162, #163, #165, #166, & #167 because these lots back up into the 100' wetland buffer. Mr. Lasky stated that all steps were taken and that the Dept. of Environmental Conservation has accepted this plan. Member Anderson stated that even though the DEC has accepted the plan, the Town does not have to approve it, since it may not be the best plan for future residents who would have lots backed up into wetlands with mosquitos. Councilmember Stempniak requested that a letter be provided by the DEC stating which specific areas are not wetland buffer zones. Mr. Tuyn stated that the permits issued by the DEC would indicate this information. Councilmember Stempniak said that a letter from the DEC would be double protection for the Town and the developer. Sidewalks-The plan does not show sidewalks, but Mr. Tuyn said that the sidewalks would be completed by the contractors. The Planning Board stated that 5' sidewalks are to be completed within the entire project on both sides of the streets, at both stream crossings, and to the entrances at Brunck Rd. and Bowen Rd. Cul-de-sacs - The three cul-de-sacs shown on the plan meet the code for cul-de-sacs. Detention Ponds - Town Engineer Robert Labenski approved the locations of the stormwater detention ponds. Member Anderson asked for a motion. Member Gober made a motion to recommend approval of the preliminary plan, Member Korzeniewski seconded the approval, but the motion did not carry.

DETERMINATION

Based on the information presented to the Planning Board, John Gober made a motion to table this project to the next Planning Board Meeting on January 5, 2005, with the following conditions: 1. Applicant to provide Planning Board with phasing plan, 2. Lots #162 & #163 to be specifically addressed, 3. Plan to show 5' sidewalks on both sides of the streets throughout the project, at both stream crossings, and to the entrances at Brunck Rd. and Bowen Rd. Motion seconded by Lawrence Korzeniewski and unanimously carried.

PRELIMINARY PLAN REVIEW-PROPOSED COUNTRY CLUB GARDENS SUBDIVISION, 62 SINGLE-FAMILY DWELLINGS, LOCATED ON THE NORTH SIDE OF BROADWAY EAST SIDE OF PAVEMENT ROAD. PROJECT NO. 4013. CONTACT PERSON: WILLIAM TUYN, GREENMAN-PEDERSEN, INC.

William Tuyn, Greenman-Pedersen, presented to the Planning Board the preliminary plan review for the 62 single-family homes to be built on the north side of Broadway, east side of Pavement Rd. Mr. Tuyn told the Planning Board that two lots were removed from the previous plan to avoid the Plumb Creek corridor. The Planning Board stated that 5' sidewalks must be completed on both sides of the streets throughout the project to the connector streets. Homes on Pavement Rd. must have 5' sidewalks and turnarounds in the driveways. Lot #37 must have a driveway on Sawgrass Lane, with no ingress/egress off Broadway.

DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to recommend approval of the preliminary plan to the Town Board with the following conditions: 1. 5' sidewalks to be completed on both sides of the streets throughout the project to the connector streets, 2. Homes on Pavement Rd. to have 5' sidewalks and turnarounds in driveways, 3. Driveway for lot #37 must be on Sawgrass Lane. No access allowed from Broadway. Motion seconded by John Gober and duly carried by a vote of 3 ayes and 1 nay.

PRELIMINARY PLAN REVIEW-PROPOSED NICHOLAS HEIGHTS SUBDIVISION, 44 SINGLE-FAMILY DWELLINGS, LOCATED ON THE SOUTH SIDE OF WILLIAM STREET WEST OF ROLLINGWOOD DRIVE. PROJECT NO. 5067. CONTACT PERSON: WILLIAM TUYN, GREENMAN-PEDERSEN INC.

William Tuyn, Greenman-Pedersen, presented to the Planning Board the preliminary plan for the 44-lot subdivision on the south side of William St. west of Rollingwood Dr. The plan shows a stub street for future connection with Woodstream Dr., if this property is acquired. As per Mr. Fronczak, current owner of the property needed to connect to Woodstream Dr., Mr. Natale has not contacted him regarding purchasing this property. Councilmember Stempniak stated that the Town cannot force a developer to purchase property to make a connection with another street. Sidewalks-The Planning Board stated that 5' sidewalks must be completed on lots #1, #2, & #36 on William St and on all lots on the outside of the street within the subdivision. No sidewalks will be necessary on lots #37-#44. Detention ponds-Depth of the ponds will be 10' under normal conditions. Ponds will have built-in sediment chambers and grassy banks. Member Anderson asked for a motion. Member Korzeniewski made a motion to recommend approval of the preliminary plan to the Town Board with the sidewalk condition. Motion was seconded by Member John Gober, but failed to pass with a split vote. Mr. Tuyn asked the reason for the project not being recommended for approval. Member Anderson told Mr. Tuyn that the Planning Board did not have to explain their reasons. Councilmember Stempniak read the section of the Town Code stating that when a

project is not recommended for approval, a reason must be given. Dep. Town Attorney Dudziak asked for a consultation with Member Anderson. Following a brief consultation, Member Anderson asked for a motion.

DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to recommend approval of the preliminary plan to the Town Board with the following condition: 1. 5' sidewalks to be completed on lots #1, #2, & #36 on William St. and on all lots on the outside of the streets within the subdivision. No sidewalks necessary on lots #37-#44. Motion seconded by John Gober and duly carried by a vote of 3 ayes and one nay.

PRELIMINARY PLAN REVIEW-PROPOSED CROSS CREEK SUBDIVISION, 264 SINGLE-FAMILY DWELLINGS, LOCATED ON THE NORTH SIDE OF PLEASANTVIEW DRIVE, WEST SIDE OF PAVEMENT ROAD. PROJECT NO. 9507. CONTACT PERSON: WILLIAM TUYN, GREENMAN-PEDERSEN

William Tuyn, Greenman-Pedersen, presented to the Planning Board the preliminary plan review for the 264 single-family home subdivision located on the north side of Pleasantview Dr. west of Pavement Rd. The plan is consistent with the original sketch plan. All delineations have been completed and signed off. One cul-de-sac has been removed and there will be no entrance island. Sidewalks-The Planning Board stated that 5' sidewalks are to be completed on both side sides of the streets throughout the subdivision. Driveways on Pleasantview Dr. and Pavement Rd. must have turnarounds. Wetlands-The Planning Board stated that the wetland boundaries are to be staked at lot lines with markers. There was some discussion regarding lots #89 & #90 relating to the creek and that mitigation may be necessary. The developer will be responsible for any erosion repairs to lots #89 & #90.

DETERMINATION

Based on the information presented to the Planning Board, John Gober made a motion to recommend approval of the preliminary plan to the Town Board with the following conditions: 1. 5' sidewalks to be completed on both sides of the streets throughout the subdivision, 2. Homes on Pleasantview Dr. and Pavement Rd. To have turnarounds in driveways, 3. Developer responsible for erosion protection on lots #89 & #90, 4. Wetland boundaries to be identified at lot lines with monuments. Motion seconded by Lawrence Korzeniewski and duly carried by a vote of 3 ayes and 1 nay.

INFORMAL PRESENTATION-PLEASANT HEIGHTS CONCEPT PLAN-PLEASANTVIEW DRIVE AT FORTON DR. PROJECT NO. 3358. CONTACT PERSON-WILLIAM BOSSE

William Bosse asked to present to the Planning Board the concept plan for the former 8 single-family home subdivision located on Pleasantview Drive at Forton Drive. The preliminary plan for the original plan was recommended for approval at the March 3, 2004 Planning Board meeting. Since that time Mr. Bosse has purchased additional land between this parcel and the existing church on Forton Dr. According to the concept plan, a street will be constructed on this parcel with all the homes facing the new street. No homes will face Pleasantview Dr. The Planning Board stated that 5' sidewalks will have to be constructed throughout the subdivision. Mr. Bosse will contact Building Inspector Jeffrey Simme to schedule the sketch plan review for a future Planning Board meeting.

At 9:50 PM John Gober made a motion to adjourn the meeting. Motion was seconded by Lawrence Korzeniewski and unanimously carried.

